

REMARKS

The Applicants have carefully studied the outstanding Office Action. The Examiner's indication that claims 30-37, 40, 41, 43 and 44 are allowed is gratefully acknowledged. The Examiner's indication that claims 23-26, 28, 29, 39, 42, 45-48 and 66 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is gratefully acknowledged. The present response is intended to be fully responsive to all points of rejection raised by the Examiner, and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Claim rejections - 35 USC § 102

Claims 21, 27 and 38 are rejected under 35 USC § 102(b) as being anticipated by Hartwig et al, U.S. Patent 5,239,492 A. The Examiner states that:

“In regards to claim 21, Hartwig et al discloses a calibration checking device for use with a gas analyzer (detector) 102 (see abstract). Hartwig et al teaches the device comprises a calibration checking unit as a calibration circuit or sample gas circuit 104, in which the gas analyzer 102 is coupled to receive the sample gas circuit 104 which is used for calibrating (see col. 4, lines 21-45). Hartwig et al also teaches an enabling mechanism 210 for enabling operation of the gas analyzer 102 as a start switch activating the gas analyzer 102 (see User Interface 210 in fig. 2, step 300 in fig. 3A, and col. 9, lines 42-48).”

The applicants have amended claim 21 by incorporating therein the subject matter of dependent claim 25. The Examiner has indicated that claim 25 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims, i.e. the limitations of claim 21 only. Claim 21, as now amended, is exactly equivalent to the Examiner's proposed amendment to claim 25, which would render claim 25 allowable. The applicants therefore

respectfully submit that amended claim 21 too is allowable, and that the Examiner's grounds of rejection of claim 21 under 35 USC § 102(b) should be withdrawn.

Claims 22-29, 38, 39, 42, 45-48 and 66 are all dependent on claim 21, and recite additional patentable subject matter. Therefore, claims 22-29, 38, 39, 42, 45-48 and 66 are also deemed allowable.

Claims 61-63 are rejected under 35 USC §102(b) as being anticipated by Sorenson et al, U.S. Patent 6,234,001 B1. The Examiner states that:

“In regards to claim 61, Sorenson et al discloses a calibration checking unit operative to generate a second calibration material (calibration gas) from a first material (carrier gas) input thereto (see col. 3, lines 4-26). The apparatus 10 generates a calibration gas by introducing a reference gas into the carrier gas.

As to claim 62, Sorensen et al discloses a first material is a calibrating material (carrier gas) used to generate an output calibration material (calibration gas) (see col. 3, lines 4-26).

As to claim 63, Sorensen et al discloses the first and second materials are gases for use in a gas analyzer (see col. 2, line 63 to col. 3, line 4).”

The applicants have cancelled claims 61-63 without prejudice, such that the Examiner's rejection thereof is moot. The applicants reserve the right to file claims 61-63 in a Continuation Application.

Claim rejections - 35 USC § 103(a)

Claim 22 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Hartwig et al, U.S. Patent 5,239,492 A in view of Brown et al, U.S. Patent 5,303,575.

Since claim 22 is dependent on amended claim 21, which the applicants submit is deemed allowable, and recites additional patentable material, claim 22 is also deemed allowable. The applicants therefore respectfully submit that claim 22 of the present invention is not unpatentable over Hartwig et al, U.S. Patent 5,239,492 A, in view of Brown et al, U.S. Patent 5,303,575 A, and withdrawal of these grounds of rejection is respectfully requested.

a. Conclusion

The applicants therefore respectfully submit that, in the light of all of the arguments mentioned above, claims 21-48 and 66, as appropriately amended or as originally filed, are novel and unobvious over the prior art cited by the Examiner, and are therefore all deemed to be allowable. Reconsideration and prompt allowance of this application are therefore respectfully requested.

Dated:

Respectfully submitted,

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